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COMMISSION

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Memorandum

TO: Air Quality Conformity Task Force

DATE: February 20, 2008

FR: Ashley Nguyen

W. I.

RE: Approach to Conformity Analysis for the 2009 Transportation Improvement Program

MTC staff is in the process of preparing the 2009 Transportation Improvement Program (TIP). See **Agenda Item #2** for more details.

Since the 2009 TIP does not include any new regionally significant projects beyond those currently included in the Transportation 2030 Plan, and these projects have been modeled in the appropriate horizon year using the latest planning assumptions, the conformity rule allows for the reliance on the previous regional emissions analysis for conformity determinations on TIPs that are consistent with the RTP (40 CFR §93.122(g)). Thus, MTC proposes to use the latest conformity analysis for the 2007 TIP/Amendment #07-18 as the basis for the conformity determination for the 2009 TIP. The latest conformity analysis is included in the report "Final Transportation Air Quality Conformity Analysis for the 2007 Transportation Improvement Program Amendment #07-18", which was approved by FHWA/FTA on January 11, 2008.

For purposes of the conformity analysis, we intend to state for the record:

1. Latest Planning Assumptions, Emissions Model and Budget Comparison. No new regional emission analysis is necessary for the conformity determination for the 2009 TIP. This conformity determination is based on the regional emissions analysis performed for the 2007 TIP/Amendment #07-18. Please refer to the above referenced Conformity Report for the details of this analysis.
2. TCM Implementation: The Transportation Control Measures (TCMs) A through E in the approved 2001 Ozone Attainment Plan are fully implemented. All information on the timely implementation of TCMs in the Conformity Report is still current. Please refer to the above referenced Conformity Report for the details of this analysis.
3. Reliance on the Previous Regional Emissions Analysis: Since the conformity determination for the 2009 TIP relies on the previous regional emissions analysis, MTC is required to meet the requirements of 40 CFR §93.122(g).

The 2009 TIP meets these requirements:

- The TIP contains all projects, which must be started in the TIP's timeframe in order to achieve the highway and transit system envisioned by the transportation plan.

- All TIP projects which are regionally significant are included in the Transportation 2030 Plan and have a design concept and scope adequate to determine their contribution to the Transportation 2030 Plan's regional emissions at the time of the regional transportation plan's conformity determination. Note that there are no new non-exempt, regionally significant projects being proposed for the 2009 TIP.
 - The design concept and scope of each regionally significant project in the TIP is not significantly different from those described in the Plan.
 - All projects in the 2009 TIP are from a conforming Plan. Allocating funds to these projects will not delay the implementation of projects in the Plan or TIP, which are necessary to achieve the highway and transit system envisioned by the Plan.
4. Results of Previous Regional Emissions Analysis Comparing the Motor Vehicle Emissions to Budgets: Motor vehicle emissions in the Bay Area must not exceed the applicable budgets measured in tons per day for volatile organic compounds (VOCs), nitrogen oxides (NOx) and carbon monoxide (CO) as contained in the State Implementation Plan (SIP). MTC will provide documentation of the vehicle activity forecasts and motor vehicle emissions calculations from the previous emissions analysis. The results of the previous regional emissions analysis show that regional emissions are below the applicable budgets. Please refer to the above referenced Conformity Report for details on this analysis.
 5. Financial Constraint. The 2009 TIP is financially constrained based on revenue estimates from the State at the time of its preparation.
 6. Interagency and Public Consultation. MTC will conduct the appropriate agency and public consultation for the 2009 TIP and conformity analysis.

Schedule

Below is the schedule for review and approval of the 2009 TIP and conformity analysis.

Date	Activity
February 27, 2008	Air Quality Conformity Task Force (<i>review conformity approach</i>)
Mid-March 2008	Air Quality Conformity Task Force (in person or e-mail) (<i>review admin draft conformity analysis</i>)
March 28, 2008	Begin of Public Review for Draft 2009 TIP and Conformity Analysis
May 1, 2008	Public Hearing on Draft 2009 TIP and Conformity Analysis
May 1, 2008	End of Public Review Period for Draft 2009 TIP and Conformity Analysis
Early May 2008	Air Quality Conformity Task Force (in person or e-mail) (<i>review final draft conformity analysis</i>)
May 14, 2008	PAC Approval of Final 2009 TIP and Final Conformity Analysis
May 28, 2008	Commission Approval of Final 2009 TIP and Final Conformity Analysis
June/July 2008	Caltrans Reviews and Approves FSTIP
December 2008	FHWA/FTA Approval